

Application No. 10/702,440  
Amendment dated May 9, 2005  
Response to Office Action dated February 10, 2005

### REMARKS

By the present amendment, claims 1, 2, 12, 13, 16, and 20 have been amended. Claims 2, 4-6, 11, and 15 have been cancelled. Claims 1-3, 7-10, 12-14, and 16-20 are currently pending in the application.

#### Objection to the Drawings

Figure 1 was objected to for failing to show the scale on the absorption axis. Applicants respectfully submit that units of absorption are not necessary as such units change depending upon the amount of light to which the material is exposed. Thus, Figure 1 shows relative absorption at different wavelengths. In support of this position, attached hereto is FIG. 8-1 from Neblette's 8<sup>th</sup> Edition. In this figure, an absorption spectra for a film is depicted. However, no units appear on the y-axis. Applicant therefore respectfully requests that this objection be withdrawn.

#### Rejection Under 35 U.S.C. 112, second paragraph

Claims 1-20 were rejected under 35 U.S.C. 112, second paragraph, as being indefinite in the use of the terminology "x or more and y or less." This terminology has been changed to more conventional terminology in all of the claims as suggested by the Examiner. Therefore, it is respectfully requested that this rejection be withdrawn.

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### **Rejections Under 35 U.S.C. 103**

In Paragraph 5, claims 1-5, 7-8 and 11 were rejected under 35 USC 103(a) as being unpatentable over the combination of Siga and Toya. It is respectfully submitted that the amendments to the claims overcome this rejection. The present inventor found that development is suppressed as the silver iodide content in the photosensitive silver halide increases. The problem of suppression of development is solved in the present invention by decreasing the coating amount of the photosensitive silver halide having a high silver iodide content. This is not taught or suggested by the combination of Siga and Toya. Further, because the secondary reference to Toya fails to teach or suggest the use of silver iodide, it is not seen that this reference can be validly combined with the Siga patent. Therefore it is respectfully requested that this rejection be withdrawn.

In Paragraph 6, claims 15 and 16 were rejected under 35 USC 103(a) as being unpatentable over the combination of Siga, Toya and Tsuzuki. The tertiary reference to Tsuzuki fails to overcome the deficiencies of the primary references; therefore it is respectfully requested that this rejection be withdrawn.

In Paragraph 7, claims 1-13 and 17-20 were rejected under 35 USC 103(a) as being unpatentable over the combination of Uytterhoeven and EP 01096310. It is respectfully submitted that the amendments to the claims overcome this rejection. In particular, Uytterhoeven teaches methods of using silver iodide formed by conversion of organic silver salts, that is, in-situ produced silver iodide, as a means for improving the print out. However, sufficient sensitivity was not attained with the iodide which was

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obtained by converting organic silver salts with iodine in situ. Please note that claim 1 specifically excludes silver halide formed in the presence of an organic silver salt. The secondary EP '310 reference does not cure the deficiencies of Uytterhoeven. The EP reference fails to teach or suggest the use of silver iodide and therefore the amount of coating cannot be applied to Uytterhoeven. Therefore, it is respectfully requested that this rejection be withdrawn.

In Paragraph 8, claims 15 and 16 were rejected under 35 USC 103(a) as being unpatentable over the combination of Uytterhoeven, EP 01096310 and Tsuzuki. The tertiary reference to Tsuzuki fails to overcome the deficiencies of the primary references; therefore it is respectfully requested that this rejection be withdrawn.

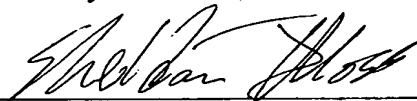
In Paragraph 9, claim 14 is rejected under 35 USC 103(a) as being unpatentable over the combination of Uytterhoeven, EP 01096310 and Goto or Farid. The tertiary references to Goto and Farid fail to overcome the deficiencies of the primary references; therefore it is respectfully requested that this rejection be withdrawn.

In Paragraph 10, claims 1-20 are rejected under 35 USC 103(a) as being unpatentable over either Ohzeki '161, Fukui, Yoshioka or Ohzeki '659 in view of Toya. The present application and U.S. Patent Publication Nos. 2004/0038161, 2003/0207216, 2003/0235794 and 2003/0194659 were, at the time the invention of the present application was made, owned by Fuji Photo Film, Ltd. Further it is submitted that the above references cannot be validly combined with Toya, since Toya fails to teach or suggest the use of silver iodide. Therefore it is respectfully requested that this rejection be withdrawn.

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In view of the foregoing amendments and remarks, it is respectfully submitted that all the claims in the application are in condition for allowance. Early and favorable action is respectfully requested.

Respectfully submitted,



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